

# Exhibit A

## LEON B. KAPLAN, Ph.D

### EDUCATION

M.B.A. 1979 The Wharton School, University of Pennsylvania, Philadelphia, Pennsylvania (Advanced Management Studies in Marketing, Strategic Planning, and Business Policy)

Ph.D. 1971 Purdue University, Lafayette, Indiana (Major- Consumer/Industrial Psychology; Minor-Social Research Methods and Personnel Selection)

M.S. 1970 Purdue University, Lafayette, Indiana (Major-General Industrial Psychology; Minor-Consumer Behavior, Psychological Measurement)

B.S. 1966 *Cum laude*, Brooklyn College, Brooklyn, New York (Major-Psychology; Minor-Physics)

### PROFESSIONAL EXPERIENCE

2017 – Present President & CEO, Princeton Research & Consulting Center, LLC, Princeton, NJ.

1979 – 2017 President & CEO, Princeton Research & Consulting Center, Inc., Princeton, NJ.

1975 - 1979 Vice President, Custom Research Group, Opinion Research Corporation, Princeton, NJ.

1971 - 1975 Senior Research Psychologist, Behavioral Research Group, Marketing Research Section, Advertising Department, E.I. duPont de Nemours and Company Inc., Wilmington, DE.

1971 Post-Doctoral Research Consultant, Consumer Research Institute, Washington, D.C.

1969 - 1970 Consultant to Proctor & Gamble Company, Cincinnati, OH, and the Pillsbury Company, Minneapolis, MN.

1969 Research Psychologist, Behavioral Research Group, Marketing Research Section, Advertising Department, E.I. duPont de Nemours and Company, Inc., Wilmington, DE.

1968 Summer Intern Marketing Research Department, General Mills, Inc., Minneapolis, MN.

1966 Interviewer, United States Public Health Services.

## ACADEMIC EXPERIENCE

Oct. 2002 Guest Speaker, School of Business, Montclair State University, Upper Montclair, NJ. Lectured about surveys for litigation.

1971 - 1976 Adjunct Faculty, Graduate School of Business, University of Delaware, Newark, DE. Taught Consumer Behavior, Marketing Research, and Industrial Psychology.

1967 - 1970 Teaching Assistant, Department of Psychology, Purdue University, Lafayette, IN. Taught Consumer Psychology, Industrial Psychology, and Educational Psychology.

## BOOKS, PAPERS AND SYMPOSIA

Chiagouris, L. & Kaplan, L.B. (2016, June 29). *Damages Estimation and Valuation: How to Use Survey Research* [Audio Podcast].

Chiagouris, L. & Kaplan, L.B. (2016). Uses of Survey Research in Damages Estimation. In N. Fannon & J. M. Dunitz (Eds.), *The Comprehensive Guide to Economic Damages Vol. 1* (pp. 669-686). Portland, OR: BVR.

Kaplan, L.B., ed. *Legends in Consumer Behavior* JACOB JACOBY. New Delhi, India: SAGE Publications India Pvt Ltd, 2015.

Kaplan, L.B. Shopping for a Job: Recruiting College Graduates for the Private Sector. Paper presented at American Psychological Association's 97th Annual Convention, New Orleans, Louisiana, August 1989.

Boren, M., & Kaplan, L.B. Marketing Research - Strategies and Payoffs. Paper presented at Association of Science - Technology Center's Annual Convention, Boston, Massachusetts, October 1988.

Kaplan, L.B. Symposium Participant. On the Stand: The Role of Consumer Psychologists in Litigation. Presented at American Psychological Association 94th Annual Convention, Washington, D.C. August 1986.

Kaplan, L.B. Research: Key to Newspaper Change. Presented at Pennsylvania Associated Press Managing Editors Conference, Scranton, Pennsylvania, June 1986.

Kaplan, L.B. In Search of Profit Excellence. Presented at Adhesive and Sealant Council, Fall 1984 Seminar, Indianapolis, Indiana, October 1984.

Kaplan, L.B. Symposium Chairman. Theoretical & Empirical Issues in the Measurement of Trademark Infringement. Presented at American Psychological Association 91st Annual Convention, Anaheim, California, August 1983.

Kaplan, L.B. Symposium Chairman. Perspectives on the Consumer Psychologist in "The Real World". Presented at American Psychological Association 89th Annual Convention, Los Angeles, California, August 1981.

Kaplan, L.B. Symposium Chairman. The Consumer Psychologist and the Future. Presented at American Psychological Association 87th Annual Convention, New York. New York, September 1979.

Pion, G.M., Cordray, D.S., Sechrest, L.B., Molaison, V., Hall, J., Kaplan, L. & Perloff, R. Membership Opinions about APA: A Recent Snapshot. *American Psychologist*, December, 1988.

Howard, A., Sechrest, L.B., Cordray, D.S., Kaplan, L., Hall, J., Perloff, R. & Molaison, V. Membership Opinions about reorganizing APA. *American Psychologist*, Pion, G.M., 42, 1987, pp.763- 779.

Cooper, M.R., Business Morgan, B.S., Foley, P.M. and Kaplan, L.B Changing employee values: deepening discontent. *Harvard Review*, January- February 1979, pp. 117-125.

Kaplan, L.B. What's a nice psychologist like you doing in a place like this? Presented at American Psychological Associate 86th Annual Convention, Toronto, Ontario, Canada, September 1978.

Kaplan, L.B., Szybillo, G.J, & Jacoby, J. Components of Perceived Risk in Product Purchase: A Cross-Validation. *Journal of Applied Psychology*, 1974, 59, 298-291.

Jacoby, J., & Kaplan, L.B. The Components of Perceived Risk. In M. Venkatesan (Ed.), *Proceedings*, Third Annual Conference, Association for Consumer Research, University of Chicago, 1972, 382-393.

Schmidt, F.L., & Kaplan, L.B Composite vs. multiple criteria: A review and resolution of the controversy. *Personnel Psychology*, Fall 1971, 419-434.

Jacoby, J., & Kaplan, L..B .A profile of the Division 23 member's interests, concerns and affiliations: Responses to a Division 23 survey of its membership. Presented at the Business Meeting, Division 23, American Psychological Association 78th Annual Convention, Miami, Florida, September 1970.

Authored over 1,500 proprietary reports for clients.

## AFFILIATIONS

American Psychological Association  
Member, Opinion Survey Task Force, 1986

American Psychological Association--Division 23 (Society for Consumer Psychology)  
Divisional Representative to American Psychological Association Council of Representatives, 1983-1986,  
President, 1981-1982,  
Newsletter Editor, 1978-1979,  
Chair: Election Committee; Membership Committee; Governmental Affairs and Public Policy Committee; Program Committee.

American Psychological Society, Member

American Psychology-Law Society, Member

Marketing Research Association, Member

Psi Chi (National Psychology Honorary)

Alpha Kappa Delta (National Sociology Honorary)

## **AWARDS**

National Science Foundation Fellowship, 1970

New York State Regents Scholarship, 1960-1966

## **REVIEWER**

Society for Consumer Psychology,  
Association for Consumer Research,  
*Journal of Applied Psychology*

## **DIRECTOR/BOARD MEMBER**

School Board, Lawrence Township Public Schools, Lawrence, New Jersey

Member, 2004 to 2014

Vice President, 2007 to 2012

Chaired: Negotiations Committee; Personnel Committee; Community Relations & Legislative Affairs Committee; Curriculum, Instruction, Assessment and Professional Development Committee; Facilities & Finances Committee.

New Jersey School Boards Association, Trenton, New Jersey

Master Board Member, 2012, Certificated Board Member, 2008

Director, 2005 to 2011

Board of Directors Audit Committee: Member, 2006 to 2011; Chair, 2010 to 2011

Task Force on Funding Special Education, Member 2013-2014.

New Jersey School Boards Association Insurance Group, Burlington, New Jersey

Trustee, 2009 to 2014

Vice Chair, Board of Trustees, 2010 to 2014

Greenwood House Home for the Aged, Ewing, New Jersey

Director, 2016 to Present

First Vice President, 2017 to 2020.

## DEPOSITIONS PAST FOUR YEARS

Citizens Equity First Credit Union v. San Diego County Credit Union, TTAB.  
ESTTA821665, Filing date: 05/17/2017. Trademark cancellation. Conducted research for Plaintiff.

C&A Marketing, Inc., v. GoPro, Inc., USDC, NEW JERSEY. Case No. 2:15-cv-07854.  
Design Patent Infringement. Conducted research for defendant.

Pinkette Clothing, Inc. v. Cosmetic Warriors Limited, Et Al. USDC, Central California .  
Case No. 15-CV-4950 SJO (AJWx). Likelihood of Confusion. Conducted research for Plaintiff.

Merchant & Gould P.C., v Mark: MG-IP, TTAB, Cancellation No. 92057850. Trademark cancellation. Conducted research for Plaintiff.

Newegg, Inc. v. Schoolhouse Outfitters, LLC, TTAB. Likelihood of confusion.  
Conducted research for Opposer and evaluated report of Applicant's expert.

Walrus Brands, LL.C. v. Peaches Uniforms, Inc., USDC, Northern District Of Illinois.  
C.A. No.1:12-cv-04892. Secondary Meaning. Conducted research for Defendant.

Mountain Marketing Group, LLC, and John A. Krueger d/b/a Krueger Law Firm v.  
Heimerl & Iammers, LLC., USDC, Minnesota, C.A. No. 14-cv-846 SRN/FLN.  
Likelihood of Confusion. Conducted research for Plaintiff.

Honeywell International Inc. v. ICM Controls Corp., USDC, Minnesota, C.A. No. 11-cv-569 JNE/TNL. Materiality. Conducted research for Defendant. Evaluated expert reports prepared for Plaintiff.

Invisible Fence, Inc. v. Fido's Fences Inc., USDC, Eastern District of Kentucky at Knoxville, Case Number 3:09-cv-00025 (Phillips/Guyton). Genericism.  
Conducted research for Plaintiff. Evaluated research conducted for Defendant.

totes ISOTONER Corporation v. R.G. BARRY Corporation, USDC, Southern District of Ohio, Eastern Division, Case Number 2:13-cv-253. Trade dress infringement.  
Evaluated research conducted for Plaintiff.

Nuance Communications, Inc., v. ABBYY USA Software House, et al., USDC, Northern District of California, San Francisco, Case Number CV 08-02912 JSW-MEJ.  
Trade dress infringement. Evaluated report of Plaintiff's expert. Conducted research for Defendant.

Promark Brands Inc. and H.J. Heinz Company, v. GFA Brands, Inc., TTAB, Opposition Nos. 91194974 and 91196358. Trademark Infringement. Evaluated report of Plaintiff's expert.

## TRIAL TESTIMONY PAST FOUR YEARS

Pinkette Clothing, Inc. v. Cosmetic Warriors Limited, Et Al. USDC, Central California .

Case No. 15-CV-4950 SJO (AJWx). Likelihood of Confusion. Conducted research for Plaintiff. Jury trial.

Mountain Marketing Group, LLC, and John A. Krueger d/b/a Krueger Law Firm v. Heimerl & Iammers, LLC., USDC, Minnesota, C.A. No. 14-cv-846 SRN/FLN. Likelihood of Confusion. Conducted research for Plaintiff. Jury trial.

Invisible Fence, Inc. v. Fido's Fences Inc., USDC, Eastern District of Kentucky at Knoxville, Case Number 3:09-cv-00025 (Phillips/Guyton). Genericism. Conducted research for Plaintiff. Evaluated research conducted for Defendant. Case settled before decision.

Nuance Communications, Inc., v. ABBYY USA Software House, et al., USDC, Northern District of California, San Francisco, Case Number CV 08-02912 JSW-MEJ. Trade dress infringement. Evaluated report of Plaintiff's expert. Conducted research for Defendant. Expert witness for Defendant. Jury trial.

Promark Brands Inc. and H.J. Heinz Company, v. GFA Brands, Inc., TTAB, Opposition Nos. 91194974 and 91196358. Trademark Infringement. Evaluated report of Plaintiff's expert. Testimony Deposition.